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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,514	01/27/2001	David H.J. Glassco	109886-130204	6672

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EXAMINER

HAYES, JOHN W

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 08/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/771,514

Applicant(s)

GLASSCO ET AL.

Examiner

John W Hayes

Art Unit

3621

NW

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/03, 11/03</u> . | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 3621

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Howard et al, U.S. Patent No. 6,697,865 B1.

As per **Claims 1, 5-6, 10-18, 22 and 25-27**, Howard et al disclose a method comprising:

- an administrator of a service operator creating one or more administrator accounts for one or more administrators of one or more service providers, and empowering said one or more administrators of said one or more service providers to administer control on user access to function offerings or services of an application by users of licensees of the service providers (Col. 2, lines 37-43; Col. 3, lines 12-20; Col. 3 line 65-Col. 4 line 17; Col. 6, lines 25-36; Col. 7, lines 40-67; Col. 10, lines 55-60; Col. 12, lines 22-61);
- an empowered administrator of a service provider creating one or more administrator accounts for one or more administrators of one or more licensee organizations of licensee enterprises of the service provider, and empowering said one or more administrators of the licensee organizations of the licensee enterprises of the service provider to administer control on user access to function offerings or services of said application by uses of the licensee organizations of the licensee enterprises of the service provider (Col. 3, lines 12-20; Col. 4, lines 30-41; Col. 7, lines 40-67; Col. 12, lines 22-61); and
- an empowered administrator of a licensee organization creating one or more end user accounts for one or more user groups and end user accounts, and enabling said one or more end

Art Unit: 3621

users to access function offerings or services of said application (Col. 4, lines 30-41; Col. 5, lines 53-59; Col. 7, lines 40-67; Col. 12, lines 22-61).

Howard et al, however, fails to explicitly disclose that the organizations and enterprises are licensed entities or that the specific users are licensees. However, examiner submits that this would have been obvious to one having ordinary skill in the art at the time of applicant's invention in view of the teachings of Howard et al. The term license is defined as "a permission to act" or "to give permission or consent to" by Merriam Webster's Collegiate Dictionary, Tenth Edition, 1993. Howard et al specifically indicates that the purpose of the invention is to regulate relationships that the portal-providing company has with other parties, including the portal-providing company's direct customers, other companies along a chain of distribution, end customers and marketing partners (Col. 2, lines 37-43). Howard et al further states that the system would include information about products or services, prices, terms, availability, marketing plans, historical and projected sales, and any other information that would be useful in facilitating the relationships among the companies and employees who are authorized to use the system (Col. 2, lines 47-60). Examiner states that these types of relationships in the business community typically involve the implementation of or agreement to certain license terms or permissions. Furthermore, examiner submits that since Howard et al discloses managing permissions for a variety of entities such as companies, direct customers and end users, then it would be obvious to one having ordinary skill in the business art that these entities would be "licensed" entities as the term is defined above.

As per Claims 2-4, Howard et al further disclose the feature of cascading of permissions wherein a user who has the grant permission may give perform and grant permissions to other users or companies without limit (Col. 7, lines 40-67). Howard et al does not specifically disclose wherein an administrator at one level can directly create user groups, user accounts or enroll users as members at a lower level of the organization. However, examiner submits that this would have been obvious in view of the teachings of Howard et al. Howard et al discloses, for example, a cascading permissions structure wherein a user or administrator can grant

Art Unit: 3621

permissions to other users or even users in a different company and the other users can then give permissions to other users in a cascading fashion. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention that this structure would enable a user administrator at a high level to directly grant permissions, create user groups and user accounts at any of the lower levels enabling the higher level administrator to set permissions for lower level organizations if so desired.

As per **Claims 7-9 and 23-24**, Howard et al further disclose empowering an administrator of a service operator to define a service constituted with a plurality of service components or a function offering constituted with a plurality of defined services or empower one or more other administrators to perform this function and authorizing access to the function offerings or services (Col. 12, lines 23-56).

As per **Claim 19**, Howard et al disclose a method comprising:

- an empowered administrator of a service operator of an application creating a first and a second service of said application, constituted with a first and a second plurality of service components of said application respectively, or creating a first and a second function offering of said application, constituted with a first and a second plurality of services of said application respectively, and empowering one or more administrators of a service provider of the application to administer control on user access to said first and second services or the first and second function offerings by end users of licensees of said service provider Col. 2, lines 37-43; Col. 3, lines 12-20; Col. 3 line 65-Col. 4 line 17; Col. 6, lines 25-36; Col. 7, lines 40-67; Col. 10, lines 55-60; Col. 12, lines 22-61); and

- an empowered administrator of the service provider empowering one or more administrators of licensee organizations of licensee enterprises of the service provider to administer control on user access to the first and second function offerings of said application or to said first and second services of said application by end users of said licensee organizations of

Art Unit: 3621

said licensee enterprises (Col. 3, lines 12-20; Col. 4, lines 30-41; Col. 7, lines 40-67; Col. 12, lines 22-61).

Howard et al, however, fails to explicitly disclose that the organizations and enterprises are licensed entities or that the specific users are licensees. However, examiner submits that this would have been obvious to one having ordinary skill in the art at the time of applicant's invention in view of the teachings of Howard et al. The term license is defined as "a permission to act" or "to give permission or consent to" by Merriam Webster's Collegiate Dictionary, Tenth Edition, 1993. Howard et al specifically indicates that the purpose of the invention is to regulate relationships that the portal-providing company has with other parties, including the portal-providing company's direct customers, other companies along a chain of distribution, end customers and marketing partners (Col. 2, lines 37-43). Howard et al further states that the system would include information about products or services, prices, terms, availability, marketing plans, historical and projected sales, and any other information that would be useful in facilitating the relationships among the companies and employees who are authorized to use the system (Col. 2, lines 47-60). Examiner states that these types of relationships in the business community typically involve the implementation of or agreement to certain license terms or permissions. Furthermore, examiner submits that since Howard et al discloses managing permissions for a variety of entities such as companies, direct customers and end users, then it would be obvious to one having ordinary skill in the business art that these entities would be "licensed" entities as the term is defined above.

As per **Claim 20**, Howard et al further disclose wherein the method further comprises:

- a first empowered administrator of a licensee organization enabling a first user of the licensee organization to access said first function offering or said first service (Col. 7, lines 40-67); and
- a second empowered administrator of a licensee organization enabling a second user of the licensee organization to access said second function offering or said second service (Col. 7, lines 40-67).

Art Unit: 3621

Howard et al, however, fails to explicitly disclose that the organizations and enterprises are licensed entities or that the specific users are licensees. However, examiner submits that this would have been obvious to one having ordinary skill in the art at the time of applicant's invention in view of the teachings of Howard et al. The term license is defined as "a permission to act" or "to give permission or consent to" by Merriam Webster's Collegiate Dictionary, Tenth Edition, 1993. Howard et al specifically indicates that the purpose of the invention is to regulate relationships that the portal-providing company has with other parties, including the portal-providing company's direct customers, other companies along a chain of distribution, end customers and marketing partners (Col. 2, lines 37-43). Howard et al further states that the system would include information about products or services, prices, terms, availability, marketing plans, historical and projected sales, and any other information that would be useful in facilitating the relationships among the companies and employees who are authorized to use the system (Col. 2, lines 47-60). Examiner states that these types of relationships in the business community typically involve the implementation of or agreement to certain license terms or permissions. Furthermore, examiner submits that since Howard et al discloses managing permissions for a variety of entities such as companies, direct customers and end users, then it would be obvious to one having ordinary skill in the business art that these entities would be "licensed" entities as the term is defined above.

As per **Claim 21**, Howard et al disclose a method comprising:

- an empowered administrator of a licensee organization of an application empowering members of one or more user groups of the licensee organization to access a first and a second function offering of said application, constituted with a first and a second plurality of services of said application respectively, or a first and second service of said application, constituted with first and second plurality of service components of said application respectively (Col. 7, lines 40-67);

and

Art Unit: 3621

- the empowered administrator of the licensee organization enabling a first user of the licensee organization to access said first function offering or said first service (Col. 7, lines 40-67; Col. 12, lines 22-61); and

- the empowered administrator of the licensee organization enabling a second user of the licensee organization to access said second function offering or said second service (Col. 7, lines 40-67; Col. 12, lines 22-61).

Howard et al, however, fails to explicitly disclose that the organizations and enterprises are licensed entities or that the specific users are licensees. However, examiner submits that this would have been obvious to one having ordinary skill in the art at the time of applicant's invention in view of the teachings of Howard et al. The term license is defined as "a permission to act" or "to give permission or consent to" by Merriam Webster's Collegiate Dictionary, Tenth Edition, 1993. Howard et al specifically indicates that the purpose of the invention is to regulate relationships that the portal-providing company has with other parties, including the portal-providing company's direct customers, other companies along a chain of distribution, end customers and marketing partners (Col. 2, lines 37-43). Howard et al further states that the system would include information about products or services, prices, terms, availability, marketing plans, historical and projected sales, and any other information that would be useful in facilitating the relationships among the companies and employees who are authorized to use the system (Col. 2, lines 47-60). Examiner states that these types of relationships in the business community typically involve the implementation of or agreement to certain license terms or permissions. Furthermore, examiner submits that since Howard et al discloses managing permissions for a variety of entities such as companies, direct customers and end users, then it would be obvious to one having ordinary skill in the business art that these entities would be "licensed" entities as the term is defined above.

Conclusion

3. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified

Art Unit: 3621

citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Flesner et al disclose a portal server that provides modification of user interfaces for access to computer networks and teaches a permissions architecture that controls what a user group can do to a particular object.
- Burnett et al disclose an administration module for authorizing plural organizations to create virtual events and teaches decentralizing administration tasks to individual organizations.
- Biddle et al disclose a system and method for licensing management and teach managing security features to control and/or restrict the use and redistribution of licensed subject matter
- Lipkin et al disclose an improved security system and teach a method of assigning privileges by administrators.

Art Unit: 3621

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Hayes whose telephone number is (703)306-5447. The examiner can normally be reached Monday through Friday from 5:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Trammell, can be reached on (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

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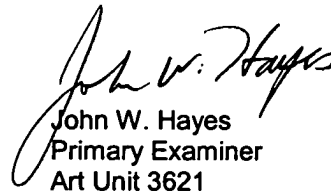
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Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive,
Arlington, VA, 7th floor receptionist.


John W. Hayes
Primary Examiner
Art Unit 3621

August 5, 2004